

REMARKS

The Examiner's communication dated September 3, 2008 has been received and carefully considered. In conformance with the applicable statutory requirements, this paper constitutes a complete reply and/or a bona fide attempt to advance the application to allowance. Claim 1 has been amended. In addition, detailed arguments in support of patentability are presented. Reexamination and/or reconsideration of the application as amended are respectfully requested.

Summary of the Office Action

Restriction was required under 35 U.S.C. §§ 121 and 372.

The specification was objected to due to minor informalities.

Claims 5-9 were objected to under 37 CFR 1.75(c) as being in improper form.

Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as being patentable over Keiji (JP 09 039024 A) in view of Bethune (U.S. Patent Publication No. 2003/0038407).

Claims 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Keiji and Bethune as applied to claim 2 above, and further in view of Taichiro (JP 2002 240087).

Restriction Requirement

The Examiner restricted examination of the present application under 35 U.S.C. § 121 and 372 to the following groups of allegedly distinct inventions:

Group I, claim(s) 1-9, drawn to a molding apparatus for in-mold coating molded articles in a plurality of mold cavities comprising a first composition injector fluidly connected to the plurality of mold cavities for injection molding articles therein, and a second composition injector fluidly connected to the plurality of mold cavities for in-mold coating molded articles in the plurality of mold cavities.

Group II, claim(s) 10-16, drawn to a molding apparatus for in-mold coating molded articles in a plurality of mold cavities comprising a means for injection molding articles in the plurality of mold cavities and a means for in-mold coating the molded articles in the plurality of mold cavities.

Group II, claim(s) 17-19, drawn to a method for in-mold coating molded articles in a plurality of mold cavities.

As noted by the Examiner, the undersigned made a provisional election by telephone without traverse to prosecute the invention of Group I, i.e., claims 1-9. Applicant retains the right to continue prosecution of the unelected claims in one or more continuation or divisional applications.

With respect to the Examiner's comments concerning the restriction, Applicant does not acquiesce to any statements concerning the claims of this application.

Specification

The specification has been carefully amended. In particular, reference number 42 in line 2 of paragraph [0024] has been changed to reference number 46.

Claim Objections

The Examiner alleges that claims 5-9 are in improper form "because a multiple dependent claim should refer to other claims in the alternatives only and cannot depend from any other multiple dependent claim." Per the Examiner, claims 5-9 were not treated on the merits for this reason.

The Examiner's attention is directed to the Preliminary Amendment submitted along with entry into the U.S. national phase on September 20, 2005. In that amendment, claims 5 and 7-9 were amended to remove the multiple dependent portion of these claims. That is, each of these claims was amended so as to depend from only a single parent claim. The Examiner appears to have overlooked this in objecting to claims 5-9. Curiously, the Examiner's restriction requirement accounts for new claims 11-19 which were first introduced in the same Preliminary Amendment. In view of the foregoing, Applicant respectfully submits that the next Office Action should not be made final as claims 5-9, which were properly presented, have not been examined on the merits.

**Claims Distinguish Patentably
Over the Reference(s) of Record**

Amended **claim 1** calls for mold members defining a plurality of fixed mold cavities therebetween and further calls for the plurality of mold cavities to be fluidly connected to first and second composition injectors. Amended claim 1 also calls for the plurality of mold cavities fluidly connected to the first composition injector to be the same as those fluidly connected to the second composition injector. Still further, claim 1 calls for the mold members and the injectors to be configured to injection mold and in-mold coat molded articles in the mold cavities while the mold members remain a fixed distance apart relative to one another during and between injection molding and in-mold coating.

The Examiner concedes that her primary reference (JP 09-039024) fails to disclose a second composition injector. However, the Examiner alleges that her secondary reference (U.S. Patent Publication No. 2003/0038407 to Bethune) teaches the claimed second composition injector with a single nozzle (i.e., feed member 4). Whether or not the combination is proper, Applicant respectfully submits that adding the feed member 4 of Bethune to the molding apparatus of Keiji fails to teach or fairly suggest the molding apparatus of claim 1.

In particular, claim 1 requires the mold members to define fixed mold cavities therebetween. Bethune, in contrast, teaches injection molding of a pair of parts within first cavities 5 defined between mold members 2a,2b, then opening the molds to 2a,2b to allow cooling of the molded parts, then rotating a rotatable mold half 90°, reclosing the mold members 2a,2b and injecting a paint onto the molded articles contained within new, second mold cavities formed between mold members 2a,2b. Such opening and closing means the mold cavities of Bethune are not fixed.

In addition, the mold cavities in which feed member 3 injects a thermal plastic material are not the same mold cavities in which feed member 4 feeds paint. Specifically, feed member 3 provides a thermoplastic material to a pair of mold cavities defined between the mold members 2a,2b. The mold members 2a,2b are then separated. After sufficient cooling, the rotatable mold member 2b is rotated with the molded parts and then the mold members 2a,2b are again closed. Applicant

respectfully submits that at this time the mold cavities in which the mold members are received are entirely distinct from those in which the feed member 3 injected a thermal plastic material. In particular, the mold cavities in which the injector 3 injects thermal plastic material are defined between a first portion of the mold member 2b and an opposing portion of the mold member 2a. Upon rotation of the mold member 2b, this same portion forming the mold cavities for the feeder 3 of mold member 2b continues to form the mold cavities, but now forms them with another, now opposite portion of mold member 2a. Accordingly, Bethune does not teach a second composition injector having a single nozzle fluidly connected to each of the mold cavities to which the first composition injector is fluidly connected (as required by claim 1).

Still further, the injectors 3,4 and wall cavities formed between the members 2a,2b cannot be said to be configured to injection mold and in-mold coat molded articles in the mold cavities while the mold members 2a,2b remain a fixed distance apart relative to one another during and between molding and in-mold coating. Again, Bethune teaches mold members and injectors configured to injection mold in a first set of cavities, have the mold members opened relative to one another (i.e., not remain a fixed distance relative to one another), then close and in-mold coat in a second, different set of cavities.

To the extent that the Examiner argues that the teachings of Bethune are merely added to those of Keiji, Applicant respectfully submits that the arrangement taught in Bethune, particularly from paint feed member 4 through channels 7 cannot be readily adapted to the molding apparatus of Keiji without inventiveness and undue experimentation. In particular, as already described herein, Bethune relies on rotatable action between a rotatable mold member 2b and a fixed mold member 2a to inject paint from paint feeder 4 to a pair of mold cavities. The mold cavities to which the paint feeder 4 is fluidly connected are not the same as those to which the feeder 3 is connected.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that claim 1 and claims 2-9 dependent therefrom are in condition for allowance.

Dependent **claim 3** calls for a runner section to include a plurality of portions fluidly connected to each of the plurality of mold cavities at a plurality of inlet orifices.

The Examiner concedes that Keiji fails to teach the runner section including a plurality of portions fluidly connected to each of the plurality of mold cavities at a plurality of inlet orifices. Attempting to correct this deficiency, the Examiner adds Taiichiro to the combination of Keiji and Bethune and alleges that Taiichiro teaches a plurality of injecting apertures 33a to 39a in Figures 1a and 2a. There are indeed a plurality of inlet orifices taught in Taiichiro, but each of these inlet orifices corresponds to its own injector 33 to 39.

Dependent claim 3 depends from claim 2 which requires a sprue passageway fluidly connected to a first composition injector and a runner section fluidly connected to the sprue passageway and the plurality of mold cavities. In other words, the first composition injector is itself fluidly connected to each of the plurality of mold cavities via the recited runner section and sprue passageway. The runner section is recited in dependent claim 3 as including a plurality of portions fluidly connected to each of the plurality of mold cavities at a plurality of inlet orifices. Thus, a runner section extending from a first composition injector to a plurality of mold cavities includes a plurality of portions fluidly connected to each of the plurality of mold cavities at a plurality of inlet orifices. This is simply not met in Taiichiro because Taiichiro uses a single inlet orifice for each injector.

Dependent **claim 4** calls for the runner section to include a tapered portion adjacent each of the plurality of inlet orifices. The Examiner argues that "Keiji teaches that the runner section includes a tapered portion adjacent the inlet orifices for allowing relatively easy removal of thermoplastic material formed in the runner section 23 from the molded articles formed in the plurality of mold cavities 17 (see FIG. 2)." This simply cannot be true. In rejecting claims 3 and 4, the Examiner explicitly conceded that "Keiji fails to teach the runner section to include a plurality of portions fluidly connected to each of the plurality of mold cavities at a plurality of inlet articles." If Keiji does not teach the recited inlet orifices, it cannot teach tapered portions adjacent inlet orifices.

Dependent **claim 5** calls for a second injector passageway to be fluidly connected to the second composition injector and the runner section of dependent claim 2. The second injector passageway is further recited as having a smaller cross-sectional area than the runner section adjacent an intersection between the second

injector passageway and the runner section. It is respectfully submitted that this arrangement is not taught or fairly disclosed by the references of record, alone or in combination.

Dependent **claim 6** calls for the runner section to be generally cylindrical with a portion of the runner section adjacent the inner section being relatively flat. It is respectfully submitted that this is not taught or fairly suggested in the references of record, alone or in combination.

Dependent **claim 7** calls for each of the plurality of mold cavities to have a fixed volume that remains fixed when the at least one first composition injector injection molds the molded article and when the at least one second composition injection in-mold coats the molded articles. It is respectfully submitted that this is not taught or fairly suggested by the references of record, alone or in combination.

Dependent **claim 8** calls for the runner section to include a containment flange recess for forming a containment flange that directs in-mold coating injected from the second composition injector toward the plurality of mold cavities. It is respectfully submitted that this is not taught or fairly disclosed by the references of record, alone or in combination.

Dependent **claim 9** calls for the plurality of mold cavities to be fluidly connected to only a single first composition injector and fluidly connected to only a single second composition injector. It is respectfully submitted that this is not taught or fairly suggested by the references of record, alone or in combination.

CONCLUSION

All formal and informal matters having been addressed, it is respectfully submitted that this application is in condition for allowance. It is believed that the claim changes clearly place the application in condition for allowance, defining over any fair teaching attributable to the references of record. Alternatively, if the Examiner is of the view that the application is not in clear condition for allowance, it is requested that the Examiner telephone the undersigned for purposes of conducting a telephone interview to resolve any outstanding differences. Accordingly, an early notice of allowance is earnestly solicited.

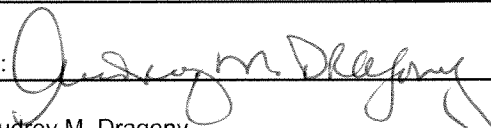
Respectfully submitted,

FAY SHARPE LLP



Erik J. Overberger, Reg. No. 48,556
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

October 28, 2008
Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: October 28, 2008	Name: Audrey M. Dragony

N:\OMNZ\200039\US\AMD0009526V001.docx